

Troutman Pepper Locke LLP
875 Third Avenue
New York, NY 10022



troutman.com

Samuel J. Abate, Jr.
D 212.808.2706
samuel.abate@troutman.com

February 14, 2025

Honorable Taryn A. Merkl
United States Magistrate Judge
United States Courthouse
225 Cadman Plaza East
Brooklyn, NY 11201

Re: Kelly v. Abbott Laboratories, et al., 1:24-cv-06968-ENV-TAM

Dear Magistrate Judge Merkl:

We are counsel for Defendant Eli Lilly and Company (“Lilly”) and submit this joint letter on behalf of the parties to provide the Court with a status report on the above DES case.

Since the Court entered its Order on December 4, 2024, granting the parties’ motion for discovery, Plaintiff’s counsel, Michael London and Virginia Anello, has provided Defendants with written discovery responses and all medical records. We are working with Plaintiff’s counsel to schedule the deposition of Plaintiff, which will take place before the end of March, and any other depositions that may be appropriate. Lilly and Plaintiff’s counsel will meet with Special Master Peter Woodin later this year to discuss possible settlement, and we anticipate that the other Defendants will similarly reach out to Plaintiff’s counsel to discuss settlement later this year.

We propose submitting our next status report on April 1.

Respectfully,

A handwritten signature in black ink that reads "Samuel J. Abate, Jr." The signature is fluid and cursive, with "Samuel" and "J. Abate" on the first line and "Jr." on the second line.

Samuel J. Abate, Jr.

Copy to All Counsel (via ECF)